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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/788,999	BROWN ET AL.	
	Examiner	Art Unit	
	Muktesh G. Gupta	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 February 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/28/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 1, 17, 24, and 30,** are amended.

Claims 1-38, have been examined on merits and are pending in this application.

Response to Amendment

2. Applicant's amendment filed on 02/20/2008 necessitated a new ground(s) of rejection presented in this office action. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *reducing the electronic mail message to remove the unauthorized portion*) to the claims which significantly affected the scope thereof.

Applicant's arguments with respect to **Claims 1-38** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-38** are rejected under 35 U.S.C. 102(e) as being anticipated by US Application Publication No. 20050038750 to Cahill et al., (hereinafter "Cahill").

As to Claims 1, 17, 24 and 30 *Cahill anticipates method, machine-readable storage media, apparatus and system, comprising:*

one or more machine-readable storage media containing instructions that when executed enable a processor to (as stated in par. 0045, lines 1-14, Computers includes a variety of ***computer readable media*** that can be accessed by computer ***processor***, storage media and communication media, implemented in any method or technology for storage of information such as ***computer readable instructions***, data structures, ***program*** modules or other data):

an apparatus, comprising: an interface; and a control unit coupled to the interface and adapted to (as stated in par. 0048, lines 1-28, ***computer*** includes input/output devices connected to the ***processing*** unit through user ***interfaces*** that are coupled to the system bus connected by other interface and adapters);

a system, comprising: a first processor based device; and a second processor based device adapted to (as stated in par.0060, lines 1-8, ***system*** comprises ***servers***, which are typically a remote computer systems accessible over a remote ***networks*** such as the Internet. The ***client process*** may be active in a ***first computer system***, and the ***server process*** may be active in a ***second computer system***, communicating with one another over a communications medium, thus providing distributed

functionality and allowing multiple clients to take advantage of the information-gathering capabilities of the server);

determining that a user is authorized to receive less than all of an electronic mail message based on at least one digital fight associated with the electronic mail message (as stated in par.0189, lines 1-18, ***Rights management (RM) enforcement*** architecture and ***method*** allow the ***controlled rendering*** of arbitrary ***forms*** of ***digital content (including electronic mail message)***, where such ***control*** is ***flexible and definable*** by the ***content owner/developer*** of ***digital content***. Controlled rendering, where ***digital content*** are to be shared amongst a ***defined group*** of individuals or ***classes*** of ***individuals*** is achieved through ***Rights-managed email,*** propagating ***RM protection*** to ***attachments*** of ***RM-protected email***, ***dynamic application of RM protection*** to a ***document*** in a document store, ***RM-protected email*** conversations*);*

selecting the portion of the electronic mail message that the user is authorized to receive (as stated in par. 0093, lines 1-14, *par.0014, lines 6-10, par.0090, lines 1-10,* ***email*** may comprise ***several alternative forms, versions***, ***formats*** of the ***body*** of the ***email***, which again may include ***text, pictures, links, attachments,*** ATTACHMENT portion can contain most ***any information*** and/or ***specific information*** that a ***sender*** wishes to ***attach*** to an ***e-mail***, may include as a postscript or the like ***metadata*** relating to the ***addenda,*** *with the* ***protected content 32*** as being ***embedded*** within an ***attachment*** 46 to the ***email 4***4, and the ***trusted component 38***, and/or the like ***based*** on the ***rights***, different ***email capabilities*** of the ***recipient*** and as ***created (selected)*** by the ***sender***. *The* ***distribution*** *of the* ***content*** *may be in a* ***confidential*** *or* ***restricted***

manner, *to* ***authorized*** *recipients, as also seen in FIG. 4, the* ***email 44,*** ***main info*** *48,* can include ***several alternative versions*** of the ***body of the email format***, ***attachment*** *46 of the* ***email,*** *is organized,* ***structured*** *and also has* ***rights data 50*** *relating to the* ***protected content*** *32. The* ***rights data 50*** *may be* ***defined*** *by the* ***sender*** *of the* ***email*** *or may be* ***defined*** *by a* ***template*** ***selected*** *by the* ***sender*** *of the* ***email***, *and sets forth each individual or group of individuals that has* ***rights*** *with respect to the* ***protected content 32,*** *and for each such individual or group of individuals a* ***description*** *of such* ***rights***. *The* ***protected content*** *32 in the* ***attachment*** *46 of the* ***email*** *44 may be* ***encrypted*** *according to a* ***cryptographic key***, *and the* ***rights data 50*** *may* ***include*** *a* ***decryption key (KD)*** *for decrypting the* ***encrypted content 32***);

reducing the electronic mail message to remove the unauthorized portion (as stated in par. 0099, lines 6-19, par. 0089, lines 12-22, par. 0091, lines 1-22, turning now to FIG. 6, the ***rights data*** *50 in the* ***attachment*** *46 of the* ***email 44*** *is* ***retrieved*** *and* ***forwarded*** *to the* ***RM server*** *54 (step 601), and such RM server 54* ***determines*** *that the RM-compliant* ***recipient*** *is one of the individuals or in one of the groups of individuals* ***listed*** *in the* ***rights data*** *50 (step 603) and thereafter* ***issues*** *a* ***license*** *36 corresponding to the* ***protected content*** *32 to the* ***recipient*** ***based*** *on the* ***rights data*** *50 (step 605), where* ***such license*** *36* ***specifies*** *the* ***rights*** *the* ***recipient*** *or what the recipients are* ***authorized*** ***with respect*** *to the* ***protected content*** *32 as determined from the* ***rights data*** *50, and also includes from the rights data 50 a* ***decryption key*** *(KD) for decrypting the* ***encrypted content*** *32. As was set forth above, such (KD) may be encrypted in a manner decryptable by the* ***trusted component*** *38 of the computing*

device 34 of the recipient. It may be the case that the message in the main info 48 of the email 44 is ***by passed or removed*** *entirely and is not displayed to the RM-compliant individual and the protected content 32 in the attachment is* ***displayed upon*** *the* ***approval of the trusted component*** *38 and decryption of such* ***protected content*** *32. Such* ***decryption key*** *(KD) by itself be* ***encrypted*** *to prevent* ***unauthorized*** *use thereof. Accordingly, the* ***decryption key*** *(KD) in the* ***rights data*** *50 is encrypted according to a* ***public key*** *of the aforementioned* ***RM server*** *54 (PU-RM) operated by or on behalf of the organization to result in (PU-RM(KD));*

and providing the selected portion to the user in the reduced electronic mail message (as stated in par. 0096 lines 1-5, ***email created (selected)*** *by a* ***sender*** *as set forth herein and sent to* ***authorized recipient****. the* ***protected/encrypted content*** *32 of the* ***email 44*** *is* ***compressed*** *to* ***reduce*** *the overall size thereof. The* ***trusted component*** *38 may decompress the* ***encrypted*** *and* ***compressed content*** *32 in the course of* ***decrypting same****. The* ***trusted component*** *38 of the computing device 34 of the* ***RM-compliant recipient*** *then* ***reviews*** *the* ***issued license*** *36 to* ***determine*** *that the* ***recipient*** *has the* ***right to view*** *the* ***content*** *32 (step 607), and thereafter* ***retrieves*** *(KD) from the* ***license*** *36 and the* ***protected content*** *32 from the* ***email*** *44 (step 609),* ***decrypts*** *the* ***protected content*** *32 with (KD) (step 611), and presents the decrypted* ***content*** *32 for* ***rendering*** *(step 613). Note that* ***based on the rights*** *the* ***recipient*** *has with respect to the* ***content*** *32 as* ***set forth in the license*** *36, the* ***trusted component*** *38 may take other* ***appropriate actions****. For example, if the* ***recipient*** ***does not*** *have*

*the **right** to **copy or print** the **content** 32, the **trusted component** 38 would **direct** the **email application** to **turn off** such **functions** with respect to such **content** 32).*

As to Claim 2,** Cahill anticipates method of claim 1, wherein determining that a user is authorized to receive less than all of the electronic mail message comprises determining that a user is authorized to receive less than all of the electronic mail message based upon at least one of a copyright, a distribution right, a broadcast right, a reproduction right, a publication right, a licensing restriction, fair use, and a restriction imposed by the Digital Rights Millennium Copyright Act* (as stated in par. 0011, lines 1-5, par. 0012, lines 1-5 and par 0013 lines 1-5, ***Digital rights management and ***enforcement*** is ***implemented with Rights management*** in connection with **digital content** such as digital audio, digital video, digital text**,** digital data, digital multimedia, etc., where such ***digital content*** is to be distributed to one or more users, or ***digital content owner or rights-owner*** such as an ***author***, a ***publisher***, a ***broadcaster***, etc., wishes to distribute such digital content to each of many users or recipients in exchange for a ***license*** fee while at the same time holding the ***user*** to the ***terms of type of license. Digital rights management gives*** the owner, choice to ***restrict*** what the users can do with such distributed ***digital content*** beyond there ***authorization*** and ***terms of type of license***).

***As to Claims 3, 18 and 25,** Cahill anticipates method, machine-readable storage media and apparatus, of claims 1, 17 and 24, wherein determining that the user is*

authorized to receive less than all of the electronic mail message comprises accessing at least one of a user input and a user profile (as stated in par. 0048, lines 1-23, par. 0050, lines 1-14 and par. 0051, lines 1-18, hard-drives and associated computer storage media provide storage of ***computer readable instructions***, data structures, program modules and other data for the ***computer***. ***User enter commands and information*** (for stored ***user-profiles and login ID***) into the ***computer*** through input devices connected to the ***processing unit*** through a ***user input interface*** that is coupled to the system bus connected by other interfaces, such as a parallel port, game port, universal serial bus, display device, network interface to establishing communications over the WAN, such as the Internet to servers and other computers and for accessing ***electronic mail messages*** from the mail-servers).

As to Claim 4, *Cahill anticipates method of claim 3, wherein accessing the user profile comprises accessing the user profile on at least one of a local device and a remote device* (as stated in par. 0050, lines 1-14 and par. 0053, lines 1-11, ***computers*** operate in a networked environment using logical connections to one or more ***remote computers***. The remote computer may be a personal computer, a server, a ***mail-server***, a router, a network PC, a peer device or other common network node, and includes many or all of the elements described above relative to the computer. ***User-profiles*** are stored on both the ***computer*** and ***remote servers***, which implicate ***authentication techniques*** for trusted ***electronic mail message exchange***).

As to Claims 5, 19 and 26, *Cahill anticipates method, machine-readable storage media and apparatus, of claims 1, 17 and 24, further comprising acquiring authorization to receive a protected portion of the electronic mail message* (as stated in par. 0090, lines 1-20, ***e-mail attachment*** has ***protected content*** and also has ***rights data (means for authorization)*** relating to the protected content ***defined*** by the sender of the ***email*** or may be defined by a ***template selected*** by the ***sender*** of the ***email***, and sets forth each individual or group of individuals that has rights with respect to the protected content, and for each such individual or group of individuals a ***description of such rights (means for authorization)***).

As to Claim 6, *Cahill anticipates method of claim 5, wherein acquiring the authorization comprises acquiring a license to receive the protected portion of the electronic mail message* (as stated in par. 0067, lines 1-12, rights management system, allows the controlled rendering of arbitrary forms of ***digital content***, where such control is flexible and definable by the content owner of such ***digital content (protected content)***. Content is distributed to the user in the form of a package by way of any appropriate distribution channel ***(through electronic mail message)***. The digital content package as distributed includes the digital content encrypted with a symmetric encryption/decryption key, as well as other information identifying the content, how to ***acquire*** a ***license*** for such content).

As to Claims 7 and 21, *Cahill anticipates method and machine-readable storage media of claims 5 and 19, wherein acquiring the authorization comprises directing the user to an owner of the digital rights to the protected portion of the electronic mail message* (as stated in par. 0067, lines 1-12, rights management system, allows the controlled rendering of arbitrary forms of ***digital content***, where such control is flexible and definable by the content owner of such ***digital content (protected content)***. Content is distributed to the user in the form of a package by way of any appropriate distribution channel ***(***through ***electronic mail message)***. The digital content package as distributed includes the digital content encrypted with a symmetric encryption/decryption key, as well as ***other information*** identifying the content, how to ***acquire*** a ***license*** for such content and directing to owner for obtaining ***authorization*** for ***digital content (protected content)***).

As to Claims 8, 20 and 27, *Cahill anticipates method, machine-readable storage media and apparatus, of claims 1, 19 and 26, further comprising providing the protected portion of the electronic mail message in response to acquiring the authorization* (as stated in par. 0089, lines 11-19, ***protected content*** in the attachment RM-compliant individual and an ***email application*** thereof at a computing device, and accordingly the main info of the ***email*** contains a message to the effect that the email is RM-protected and therefore after ***authorization,*** have access to such protected content. ***Protected content*** in the attachment is displayed upon the ***approval (authorization)*** of the trusted component and decryption of such protected content).

As to Claim 9, *Cahill anticipates method of claim 1, wherein selecting the portion comprises determining a format of at least one file associated with the electronic mail message* (as stated in par. 0065, lines 1-9, par. 0067, lines 3-8, and par. 0142, lines 1-3, RM system, allows the controlled rendering of multiple forms of digital content as digital audio, digital video, digital text, digital data, digital multimedia, etc., where digital content is to be distributed to users, control is flexible and definable by the content owner of such digital content. The main info of the ***email*** contains a message to that effect in the ***email***, content is distributed to the user in the ***form of a package*** defining the selected format with all necessary RM-related ***information,*** RM-protected document with a ***custom data section***, ***standard form*** of the ***protected content storage***, etc. The protected content in the custom data may be in any particular ***format***, which is ***selected***).

As to Claim 10, *Cahill anticipates method of claim 9, wherein selecting the portion of the electronic mail message comprises identifying at least one chart, table, page, agenda, table of contents, summary, audio clip, or video clip based upon the determined file format* (as stated in par. 0065, lines 1-9, par. 0067, lines 3-8, and par. 0142, lines 1-3, RM system, allows the controlled rendering of multiple forms of digital content as ***digital audio***, ***digital video***, ***digital text***, ***digital data***, ***digital multimedia***, etc., where digital content is to be distributed to users, control is flexible and definable by the content owner of such digital content. the main info of the ***email*** contains a

message to that effect in the email, content is distributed to the user in the form of a package defining the selected ***format*** with all necessary RM-related information RM-protected document with a custom data section, standard form of the protected content storage, etc. The protected content in the custom data may be in any particular ***selected format***).

As to Claim 11, *Cahill anticipates method of claim 9,, wherein selecting the portion of the electronic mail message comprises reducing the resolution of the at least one file associated with the electronic mail message based upon the determined file format* (as stated in par. 0095, lines 1-10 the ***protected/encrypted content*** of the ***email*** is ***compressed*** to ***reduce*** the overall ***size*** thereof in existing email ***formats***).

As to Claims 12, 22 and 28, *Cahill anticipates method, machine-readable storage media and apparatus, of claims 11, 17 and 24, wherein reducing the resolution of the at least one file comprises down casting a portion of at least one of an audio file, video file, a multimedia file, an image file, and a graphics file* (as stated in par. 0067, lines 3-8, and par. 0146, lines 1-9, RM system, allows the controlled rendering of multiple forms of digital content as ***digital audio***, ***digital video***, ***digital text***, ***digital data***, ***and digital multimedia***. The ***protected/encrypted content*** of the document is ***compressed*** to reduce the overall ***size*** thereof. Trusted component ***decompress*** the encrypted and compressed content in the course of ***decrypting*** it. Such ***compression***

provides a significant ***reduction*** in the overall ***size*** of the ***document*** having the ***protected content*** in the custom data thereof in existing document formats).

As to Claim 13, *Cahill anticipates method of claim 1, further comprising determining that it is desirable to receive less than all of the electronic mail message* (as stated in par. 0041, lines 1-13 rights management system requires only a ***thin client*** having network server interoperability and interaction. Thus, rights management system is implemented in an environment of networked hosted services in which very little or ***minimal client resources*** are implicated, e.g., a networked environment in which the ***client device*** serves merely as a browser or interface to ***receive*** less than all of the electronic mail message).

As to Claims 14, 23 and 29, *Cahill anticipates method, machine-readable storage media and apparatus, of claims 13, 17 and 24, wherein determining that it is desirable to provide less than all of an electronic mail messages comprises* (as stated in par. 0067, lines 1-9, par. 0068, lines 3-8, The main info of the ***email*** contains a message to that effect in the ***email***, content is distributed to the user in the ***form of a package*** defining the selected format with all necessary RM-related ***information, rules*** and ***requirements*** specify and determine what to provide in e-mail to user, rules that must be ***satisfied*** before such ***digital content*** is ***allowed*** to be ***rendered*** on a ***user's computing device***):

determining a threshold time (as stated in par. 0071, lines 1-11, whether the ***user has rights*** to ***render*** the ***digital content*** based on any of several factors, including who the user is, where the user is located, what ***type of computing device*** the user is using, what ***rendering application*** is calling the ***RM system***, the ***date***, the ***time*** and ***limit pre-determined rendering time***. Thus, the trusted component needs to refer to a clock on the computing device);

determining a value associated with a data transfer rate (as stated in par. 0072, lines 1-11 rules and requirements are specified in the license accordingly to specify ***attributes*** and ***values*** that must be satisfied which are required for the performance of ***functions (data transfer rate)*** according to ***specified values*** and ***attributes***);

determining a value associated with a size of the electronic mail message (as stated in par. 0158, lines 1-16, ***RM-protected e-mail*** package also ***sets value*** by ***size*** of the documents by ***defining*** a ***specific rights template*** associated with the ***folders*** of ***digital content***. Such rights template have any particular ***rights defined*** therein common to every document within the folder, or may treat different types of documents differently. The rights template for a particular folder specify ***one set of rights*** for documents below a ***certain size*** and ***another set for documents*** above a certain ***size***);

estimating a transfer time using the determined value associated with the data transfer rate and the determined value associated with the size of the electronic mail message (as stated in par. 0158, lines 1-10, par. 0163, lines 1-4, ***rights management*** is applied to ***document*** by way of a ***trusted component*** on a ***computing device*** of a

RM-compliant ***recipient***, and the document is in a form that is still recognizable to a computing device which may or may not be RM-compliant for receiving of protected content in such document as the protected content is rights managed, such content is ***compressed*** with ***value*** associated with the ***size*** of ***content document*** and ***decompressed*** by the trusted component of computing device based on its ***data transfer rate value***);

comparing the threshold time and the estimated transfer time; and selecting a portion of the electronic mail message based upon the comparison (as stated in par. 0162, lines 1-4, par. 0163, lines 1-4, ***digital content*** are ***stored*** in the ***folder*** of the document store, the document store ***mapping (comparison)*** the ***access controls*** for the ***folders*** of ***digital content*** into RM rights that are to be ***defined*** in ***rights data*** for the copy of the requested ***digital content*** document).

As to Claim 15, *Cahill anticipates method of claim 1, wherein providing the selected portion of the electronic mail message comprises transmitting the selected portion from a server to a processor based device and storing the electronic mail message on the server* (as stated in par. 0118, lines 1-9 to render the protected content in an RM-protected email, the protected content is encrypted according to a ***content key stored*** on ***RM server***. Recipient of the ***RM-protected email*** must ***obtain*** a corresponding ***license with content key*** from the ***RM server***, for obtaining protected content in the e-mail package which is stored on the RM server).

As to Claim 16, *Cahill anticipates method of claim 1, wherein providing the selected portion of the electronic mail message comprises transmitting the selected portion from a processor-based device to a server and storing the electronic mail message on the processor based device* (as stated in par. 0121, lines 1-12, ***computing device*** and email application of the ***recipient requests*** the ***license*** for the protected content of the retrieved ***email*** from the ***RM server*** in a manner to satisfy the rights and conditions set forth in the license, obtains content key from the license, and applies content key to decrypt the protected content in RM-protected email).

As to Claim 31, *Cahill anticipates system of claim 30, wherein the second processor-based device is a server, and further comprising a network, and wherein the server and the at least one first processor-based device are communicatively coupled via the network* (as stated in par. 0062, lines 1-12, Rights management (RM) ***system*** is employed in ***networked*** or distributed environment, with a ***server*** in communication with ***client computers*** via a ***network/bus***. In more detail, a number of servers are interconnected via a communications network/bus, which may be a LAN, WAN, intranet, the ***Internet***).

As to Claim 32, *Cahill anticipates system of claim 30, wherein the second processor-based device is adapted to queue the electronic mail message* (as stated in par. 0121, lines 1-12, email application of the recipient capable of receiving several emails at a time, especially if the emails are received from an ***email server*** that must be

polled for ***RM-protected email***. The email application on the RM server places each received ***RM-protected email*** with protected content therein into a ***queue*** and the trusted component retrieves the received ***RM-protected email*** from the ***queue***).

As to Claim 33, *Cahill anticipates system of claim 30, further comprising a storage unit, and wherein the second processor-based device is adapted to provide the electronic mail message to the storage unit* (as stated in par. 0118, lines 1-9 to render the protected content in an RM-protected email, the protected content is encrypted according to a ***content key stored*** on ***RM server***. Recipient of the ***RM-protected email*** must ***obtain*** a corresponding ***license with content key*** from the ***RM server***, for obtaining ***protected content*** in the e-mail package which is stored on the RM ***server document store***).

As to Claim 34, *Cahill anticipates method for interfacing with a user of a computer system having a graphical user display, comprising* (as stated in par. 0049, lines 1-6, monitor or other type of ***display device*** is also connected to ***client computers*** system via an ***video interface*** or ***graphics interface***):

displaying at least one indicator of a digital rights management rule associated with at least one portion of at least one electronic mail message (as stated in par. 0068, lines 1-6, par. 0093, lines 1-6 The trust-based RM system allows an owner of digital content to ***specify license rules*** embodied within a ***digital license or use document*** or in the attachment of the ***email***, and comprises ***several alternative forms of the***

body of the ***email***, which includes user interactive text, pictures, links, metadata relating to the addenda and/or ***displayed*** on the user/user's ***computing device*** and that must be ***satisfied*** before such digital content is allowed to be rendered on a user's ***computing device***);

monitoring the position and selection status of a pointer controller to detect that at least one of the at least one indicators has been selected by the user; and providing an indication of a user authorization associated with the at least one portion of the at least one electronic mail message and the digital rights management rule in response to detecting that at least one of the at least one indicators has been selected by the user (as stated in par. 0068, lines 1-6, par. 0069, lines 1-10, and par. 0070, lines 1-8, Such ***license rules*** include the ***aforementioned requirement***, that the ***user/user's computing device select*** to obtain from the ***content owne***r or an agent thereof. When user selects for such ***license***, and ***satisfies rules and requirements*** are then provided with a trusted component mechanism that will ***evaluate rules and requirements*** with ***license evaluator (monitoring)*** and not render the digital content except according to the license rules embodied in the license associated with the digital content and obtained by the user, such as ***decryption key*** (***authorization***) for decrypting the digital content, and encrypted according to a key decrypt able by the user's computing device).

As to Claim 35, *Cahill anticipates method of claim 34, wherein providing the indication of the user authorization comprises providing at least one of an option to acquire one or more digital rights and an option to downcast the at least one portion of*

the at least one electronic mail message (as stated in par. 0077, lines 1-11, ***digital license rules and requirements*** for the ***email*** content is typically ***obtained*** from an RM ***server*** with ***options*** that such license may be sent with the email under at least some circumstances, may be obtained upon opening the email, may be obtained upon ***downloading*** the ***email***, may be obtained at the ***direction*** of the ***sender*** and/or ***recipient user/user's computing device).***

As to Claim 36, *Cahill anticipates method of claim 34, further comprising providing an option to modify the digital rights management rule associated with the at least one portion of the at least one electronic mail message in response to detecting that at least one of the at least one indicators has been selected by the user* (as stated in par. 0160, lines 1-11, ***RM-protection as set*** for a ***folders*** of ***digital content***, either by way of ***access controls*** or by way of a ***rights template***, may be ***changed*** from time to time by an ***administrator*** of the ***document store*** or the like. Accordingly, it may be the case that an ***email recipient user/user's*** may ***request (select)*** a document from a folder of the document store and ***receive*** such document with a first set of ***rights data***, and then some time later under identical circumstances ***request (select)*** the same document from the same folder of the document store and ***receive*** such document with a ***second set of rights*** data different from the ***first set).***

As to Claim 37, *Cahill anticipates method of claim 34, further comprising controlling a pointer element on the graphical user display with a user pointer controller,*

the pointer controller having position and selection status responsive to operation by the user (as stated in par. 0048, lines 1-11, par. 0049, lines 1-4, ***user enters commands*** and information into the computer through input devices such as a keyboard and ***pointing device***, commonly referred to as a mouse, trackball or touch pad. These and other input devices are connected to the processing unit through a user input interface that is coupled to the system bus. A monitor or other type of ***display device*** is also connected to the system bus via an interface, such as a video interface, which ***displays*** the position and selection status responsive to operation by the user of ***pointing device***).

As to Claim 38, *Cahill anticipates method of claim 34, wherein displaying the at least one indicator of the indication of the user authorization associated with the at least one portion of the at least one electronic mail message and the digital rights management rule comprises displaying at least one of a closed-lock icon and an open-lock icon* (as stated in par. 0078, lines 1-15, par. 0140, lines 1-11, ***email*** with the ***protected content*** may be received by an RM-compliant individual with a trusted component and the like, which is in a form amenable to such ***RM-compliant*** individual. At the same time, email with the protected content may be received by a ***non-RM-compliant*** individual without a trusted component and the like, such email should also be in a form amenable to such non-RM-compliant individual, at least to the extent that the email is recognizable as such by the computing device of the non-RM-compliant individual, ***informs*** the non-compliant individual of the protected content therein and

does not inappropriately affect the computing device of the non-RM-compliant individual. Put another way, the ***email*** with the ***protected content*** be in a more-or-less standard email form so as to be recognized as email, but should also includes within the standard form the protected content of the email along with all necessary RM-related information for ***unlocking*** the ***protected content***).

Response to Arguments

3. Applicant's arguments, with regards to **Claims 1, 17, 24, 30, and 34,** filed 20 February 2008 have been fully considered but they are not persuasive.

The Examiner respectfully disagrees with Applicant's arguments, on page 10 of Remarks regarding "reduced" electronic e-mail message—i.e., one from which unauthorized content has been removed. Cahill, as stated and disclosed in par. 0015, lines 6-10, par. 0015, lines 5-6, For broad-based ***content distribution*** in exchange for a license fee or some other consideration, distribution of the content is more akin to organization-based ***content sharing*** in a ***confidential or restricted manner***, or distributed digital content the ***content owner*** ***restricts*** the ***user*** from ***copying and re-distributing*** such content to a second user, at least in a manner that denies the content owner a license fee from such second user and is ***not rendered*** to ***non-authorized*** individuals. Cahill, as stated and disclosed in par. 0091, lines 1-7, the ***protected content*** 32 in the ***attachment*** 46 of the ***email*** 44 is ***encrypted*** to prevent ***unauthorized use*** and ***distribution***. Cahill, as stated and disclosed in par. 0071, lines 1-7, The ***rules and requirements*** in the ***license*** 36 can ***specify*** whether the ***user*** has

rights to ***render*** the ***digital content*** 32 ***based*** on any of ***several factors***. Cahill , as stated and as disclosed in par. 0106, lines 1-9, such ***rights data*** 50 may be ***custom rights*** data or rights data as ***obtained*** from a ***pre-defined template*** whereby ***authorized content*** is ***selected*** from the ***template*** and ***unauthorized portion*** of the content is ***removed***. The ***specific rights*** that each of the ***entities possesses*** with respect to the ***content***, and any ***conditions*** that may be ***imposed*** on those ***rights***. Cahill, stated and disclosed in par. 0108, lines 1-9, The ***rights data*** 50 is ***submitted*** to the ***RM server*** 54 for ***signing***, or can be self-signed if permission to do so is given by the RM server 54. Cahill, stated and as disclosed in par. 0108, lines 1-9, when the ***rights data*** 50 is employed to ***automatically*** obtain a ***license*** 36 for the item as in FIG. 6, such license 36 also includes the ***bind ID*** and thus is ***tied or bound*** to such item thereby. Cahill, stated and as disclosed in par. 0108, lines 1-9, FIG. 7, a method of ***propagating RM-protection*** from an ***email 44*** to ***each RM-protectable attachment*** 52 thereof is ***set forth*** by the ***sender*** and ***implemented*** by the ***RM server***.

The Examiner respectfully disagrees with Applicant's arguments, on page 10 of Remarks regarding "mechanism for displaying an indication of user authorization". Cahill, as stated and disclosed in par. 0089, lines 1-22, For ***non-RM-compliant*** individual and an email application thereof at a computing device thereof, and accordingly the ***main info*** 48 of the ***email 44*** may ***contain*** a ***message*** to the effect that the email 44 is ***RM-protected*** and therefore ***not viewable*** by the ***non-RM-compliant*** individual. The main info 48 of the email 44 may have *another message,* an ***advertisement***, a ***link*** for ***more information*** on ***RM-compliant email 44***, etc. to ***obtain***

the ***trusted component*** 38. The ***trusted component*** 38 and the email application on the computing device 34 of an ***RM-compliant*** individual may become aware that the ***protected content*** 32 is in the ***attachment*** and by ***examining*** the attachment 46 of the ***email*** 44 certain ***identifying indicia*** may be ***found***.

Therefore, in view of the above reasons, Examiner maintains rejections.

Action Final

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muktesh G. Gupta whose telephone number is 571-270-5011. The examiner can normally be reached on Monday-Friday, 8:00 a.m. -5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MG

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144